IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7229 OF 2007

Suhas Narayanrao Pandhare .... Petitioner

versus

Tulshiram Shripati Raskar & anr..... Respondent.

Shri Nitin P. Deshpande for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 10TH OCTOBER, 2007

P.C.;

1. The petitioner father has two children, one is about 11 years and the other is about 4 years. The petitioner's wife has expired. The parents of the wife of the petitioner i.e. grand-father and gtrand-mother of the children have moved an application with a view to have access of the children. Consent order was passed where under grand-parents were granted access to the children. As there was some misunderstanding in regard to the condition of granting of access, the matter was again moved before the Court. The Court referred the same to the Counsellor. Before the Counsellor an arrangement in regard to the access of the children was agreed which is reflected in the compromise deed at Exh.F. The learned counsel for the petitioner

submits that the Counsellor has exercised undue influence and obtained the consent of the petitioner to the said terms. Counsellor has granted custody of the children to the grand-parents on Saturdays and Sundays, and during the period of the half yearly and annual examination the custody is not given to the grand-parents whereas the same is to be compensated after examination. It is also agreed that as and when the children are in the company of the grand-parents, they will celebrate the birthdays and other festivals. There is no merit in the petition and the same is dismissed summarily.

...